

NOV 18 2002

OFFICE OF JUDGE  
GLEN E. CLARK

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IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

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IN RE:

SIMON TRANSPORTATION SERVICES,  
INC. and DICK SIMON TRUCKING, INC.

Debtors.

Bankruptcy Case No.  
02-22906 GEC

Chapter 11

[Jointly Administered]

Judge Glen E. Clark

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**ORDER GRANTING JOINT MOTION AND STIPULATION  
FOR AUTHORITY TO EXPLORE SETTLEMENT**

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The Joint Motion and Stipulation for Authority to Explore Settlement, filed by Freightliner LLC and Central Refrigerated Services, Inc., came on for hearing before the above-entitled Court, the Honorable Glen E. Clark presiding, on November 18, 2002, at 3:30 p.m. Appearances were made on the record. The Court having reviewed the Joint Motion and Stipulation



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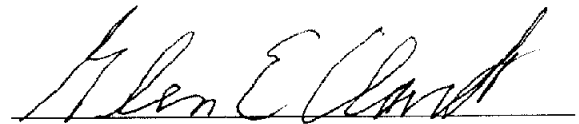
for Authority to Explore Settlement, having heard the arguments and representations of counsel and other good cause appearing therefor, the Court orders as follows:

**ORDER**

1. The Joint Motion and Stipulation for Authority to Explore Settlement shall be, and hereby is granted.
2. Pursuant to such Joint Motion and Stipulation, the Movants together with the Unsecured Creditors Committee (the "**Committee**") shall have until November 27, 2002 within which to explore a settlement of all issues relating to the Trade-Back Agreements.
3. At any time, either Movant or the Committee may file a notice with the Court indicating that negotiations are no longer productive. Upon such filing, the Court at its discretion will review and execute the Order reflecting the Court's Ruling of October 21, 2002 (the "**Order**"), in the ordinary course.
4. The Court will defer entering its Order; provided, however, if the Movants advise the Court that a settlement has been reached, the Court will consider further deferring the execution of the Order to provide the opportunity for Movants to provide notice and present the settlement to the Court at a hearing scheduled for that purpose.
5. Any settlement reached by the Movants and the Committee shall be presented to this Court for approval after appropriate notice and hearing.

MADE AND ENTERED THIS 18 day of Nov, 2002.

BY THE COURT:



HONORABLE GLEN E. CLARK  
UNITED STATES BANKRUPTCY COURT JUDGE

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing instrument was sent by e-mail on this \_\_\_\_ day of November, 2002, to the following:

Laurie A. Crandall Office of the United States Trustee E-Mail: <a href="mailto:laurie.crandall@usdoj.gov">laurie.crandall@usdoj.gov</a>	Scott J. Goldstein, Esq. Spencer, Fane, Britt & Browne, LLP E-Mail: <a href="mailto:sgoldstein@spencerfane.com">sgoldstein@spencerfane.com</a>
Peter W. Billings, Esq. Gary E. Jubber, Esq. Fabian & Clendenin E-Mail: <a href="mailto:pbillings@fabianlaw.com">pbillings@fabianlaw.com</a>	J. Thomas Beckett Parson Behle & Latimer E-Mail: <a href="mailto:tbeckett@pblutah.com">tbeckett@pblutah.com</a>
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